

REMARKS

Claim 1 has been amended to call for forming a pore after forming a protective layer over a lower electrode. This protects the lower electrode which is covered by a protective layer from the ensuing material utilized to form the pore. Generally, this material may be some type of insulating material which may expose the lower electrode to adverse conditions. After the pore has been defined, then the protective layer is breached and the chalcogenide material formed.

The cited reference to Harshfield does not show the new claim elements.

Claim 1 was also rejected based on Reinberg. The pertinency of Reinberg is not understood since Reinberg does not protect his lower electrode 56 in any way. Moreover, like Harshfield, he forms the pore before he defines the lower electrode or the chalcogenide material.

Therefore, reconsideration of the rejection is requested.

Claim 37 was rejected based on Reinberg. However, Reinberg does not show forming a lower electrode and a protective layer over the lower electrode of the phase change material in the same deposition chamber without bending back to the atmosphere. The rejection does not seem to address all the claim elements and it is believed that, upon reconsideration, the rejection will be withdrawn.

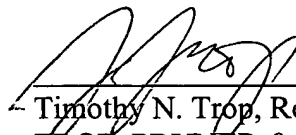
With respect to claim 44, the same arguments applied with claim 1 apply here as well.

The objection under Section 112 has been cured by removing the objected to material.

Therefore, the application should now be in condition for allowance.

Respectfully submitted,

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